

REMARKS

The present application has been reviewed in light of the Office Action dated May 20, 2003, and the telephone interview conducted on July 2, 2003, with the Examiner and one of Applicant's representatives. Claims 25-31 are presented for examination, of which Claims 25 and 29 are in independent form. Claims 25, 29, and 30 have been amended as to matters of form and/or to more clearly define Applicant's invention. Favorable reconsideration is requested.

Initially, Applicant notes that a Claim To Priority and a certified copy of the priority document for this application were submitted on October 21, 1992, in Application No. 07/889,199, which is the original case from which the present application claims benefit under 35 U.S.C. § 120, as evidenced by the attached copy of the returned receipt postcard bearing the stamp of the U.S. Patent and Trademark Office. Applicant respectfully requests acknowledgment of the claim for foreign priority and the receipt of the certified copy. Applicant notes that, during the above-mentioned telephone interview, the Examiner indicated that he would acknowledge the claim for foreign priority and receipt of the certified copy of the priority document in his next communication.

The Office Action states that Claims 25-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,021,892 (Kita et al.); and that Claims 29-31 are rejected under § 102(b) as being anticipated by U.S. Patent No. 4,965,676 (Ejiri et al.). Applicant respectfully traverses these rejections, and submits that independent Claims 25 and 29, together with the claims dependent therefrom, are patentably distinct from the cited prior art for

at least the following reasons.

An aspect of the present invention set forth in Claim 25 is directed to a method of controlling a data communication apparatus in a data processing system that includes the data communication apparatus and a host computer connected to the data communication apparatus by an interface. The method includes a communication step, a checking step, a determination step, and a notification step. The communication step communicates commands from the host computer to the data communication apparatus through an interface. The data communication apparatus is comprised of units including a scanner, a printer, a storage unit, a line, and a logic ID unit. Upon receipt of the commands by units of the data communication apparatus, the checking step checks operating conditions of the data communication apparatus. The determination step determines which units of the data communication apparatus the commands are issued to. The notification step notifies the host computer of the operating conditions in accordance with the commands from the host computer.

One of the notable features of Claim 25 is that the data communication apparatus is comprised of units that include a scanner, a printer, a storage unit, a line, and a logic ID unit, which separately receive commands from the host computer (see page 8, lines 2-10, of the specification). In the determination step it is determined to which unit a command is issued. Based on this determination, a command process for each unit is established (see page 8, lines 16-21, of the specification).

Kita et al. relates to an image processing device for controlling data transfer. Nothing has been found in Kita et al. that is believed to teach or suggest a data communication

apparatus comprised of units including a scanner, a printer, a storage unit, a line, and a logic ID unit, which separately receive commands from the host computer, nor is Kita et al. believed to teach or suggest a determination step of determining to which unit a command is issued, as claimed in Claim 25.

Accordingly, Applicant submits that Claim 25 is patentable over Kita et al. and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(e). Applicant notes that the Examiner indicated during the telephone interview that he believed such features would overcome the cited prior art.

Independent Claim 29 is a method claim that includes the same features as those discussed above in connection with Claim 25.

Ejiri et al. relates to a remote diagnostic system for a facsimile apparatus. Nothing has been found in Ejiri et al. that is believed to teach or suggest the features discussed above in connection with Claim 25, which features also are claimed in Claim 29.

Accordingly, Applicant submits that Claim 29 is patentable over Ejiri et al. and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(b).

The other rejected claims in this application depend from Claim 25 or Claim 29 and therefore also are submitted to be patentable for at least the same reasons discussed above. Since each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

The present Amendment After Final Action is believed to place this

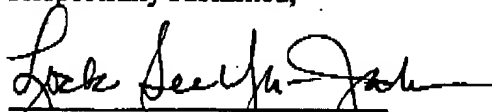
application in condition for allowance, and therefore its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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